REMARKS

Claims 1-25 are pending in the application.

Claims 1-25 are rejected.

Rejection of Claims under 35 U.S.C. § 103

In the Office Action mailed June 5, 2006 (hereinafter referred to as "Office Action"), claims 1-25 are rejected under 35 U.S.C. § 103(a) as being unpatentable over RFC 2866 in view of Applicant's admitted prior art. Applicant respectfully traverses this rejection.

With respect to claim 1, the cited art fails to teach or suggest:

"creating a unique session identifier for a user, wherein

the unique session identifier is created by one of a plurality of network access servers; and

the unique session identifier is created in a manner that prevents more than one of the network access servers from creating a same unique session identifier."

The Examiner relies upon the background of Applicant's specification to teach "creating a unique session identifier... in a manner that prevents more than one of the network access servers from creating a same unique session identifier." Office Action, pp. 4-5. However, this feature is not taught by the cited portion of Applicant's specification. The cited portion of Applicant's specification recites:

"In the network illustrated in FIGURE 1B, the result is that NAS 28a can have a call to which it has assigned a session id value of "01," as can each of the other NAS devices 28b-28n. Accordingly, it is possible for the AAA server 30a to receive n session id values, where each of the n session id values corresponds to a different NAS 28 but is the same number. The AAA server 30a can easily handle this condition because the AAA server 30a associates each session id value with the corresponding NAS 28 based upon a unique NAS address for each NAS. Because each of these duplicative session id's is coming from a different NAS address, the AAA Server 30a can distinguish between the NAS's 28a-28n when managing the sessions involved." Specification, p. 10, lines 17-25, emphasis added.

Thus, the cited portion of Applicant's specification explicitly describes how <u>more than one NAS devices can generate the exact same session id value</u>. In contrast, claim 1 describes a method in which multiple network access servers are prevented from creating the same unique session identifier. Clearly, the scenario presented in the cited portion of Applicant's specification is the exact opposite of the claimed feature of "creating a unique session identifier... in a manner <u>that prevents more than one of the network access servers from creating a same unique session identifier</u>" recited in claim 1. This is intuitively correct, as Applicant's interest in discussing the existing technology in question is to demonstrate the deficiencies of the existing technology. Accordingly, the cited portion of Applicant's specification quite clearly does not teach or suggest this feature of claim 1, either alone or in combination with RFC 2866.

As noted in the previous response, the Examiner appears to be concluding that, because an AAA server could distinguish among multiple copies of the same session identifier by delineating among the different NASes, the prior art necessarily teaches providing a unique session identifier. However, such a conclusion is not supported by the actual teachings of the cited art. While the AAA server described in the background section of Applicants' specification may be able to distinguish among <u>sessions</u>, that does not mean that the AAA server has been provided with a unique <u>session identifier</u>. In other words, the fact that each <u>session</u> is unique (as emphasized by the Examiner) has nothing to do with whether a unique session <u>identifier</u> has been provided to an AAA module. Instead, as clearly described in the cited section of Applicants' specification, it simply means that the AAA server has a mechanism to differentiate between sessions that are identified by the same session identifier. Thus, the cited section of Applicants' specification, both alone and in combination with the cited portions of RFC 2866, clearly does not teach <u>providing</u> a session identifier, <u>which is created in a manner that prevents more than one of the network access servers from creating the same unique session identifier</u>, to an AAA module, as recited in claim 1. While the AAA server in the configuration shown in Figure 1B can ultimately distinguish among these session ids based upon the addresses of the NAS, it quite clearly does not in any way teach or suggest that the NAS devices are incapable of generating the same unique ID.

Furthermore, there is no suggestion to combine the references in the manner suggested by the Examiner. On p. 6 of the Office Action, the Examiner states:

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"Therefore, these teachings and suggestions would have suggested to one of ordinary skill in the art that if the AAA server can both distinguish between the sessions of one network access server and also the sessions of a plurality of network access servers and their respective sessions, the AAA server would also be able to distinguish between sessions that contain a session identifier that would be unique to both the network access servers and their sessions and to create a unique session identifier that prevents more than one network access server from creating a same unique session identifier for the purposes of distinguishing between sessions and also a plurality of network access server would have involved only routine skill in the art."

First of all, Applicant notes that in claim 1, the network access server, not an AAA server, creates the unique session identifiers. The fact that the AAA server could distinguish between unique session identifiers provides no teaching or suggestion about how the network access servers (which actually create the session identifiers) should operate when creating session identifiers, especially given that the cited art describes techniques for handling both unique and non-unique session identifiers.

Furthermore, it in no way follows that the ability to distinguish between non-unique session identifiers based upon which network access servers assigned the session identifiers suggests preventing multiple network access servers from generating the same session identifier. Clearly, in the scenario described in Figure 1B of Applicant's specification (cited by the Examiner against claim 1), the AAA server was capable of handling non-unique session identifiers and did not need any new technique. As noted in the previous response, none of the cited art expresses any need for the feature recited in amended claim 1, in which the unique session identifier is created in a manner that prevents more than one of the network access servers from creating a same unique session identifier.

For at least the foregoing reasons, claim 1 is patentable over the cited art, as are dependent claims 3-4. Claims 6-12, 14-16, 18-19, 21, and 23-24 are patentable over the cited art for similar reasons.

Furthermore, Applicant notes that the Applicant does not and has not admitted "that the undisclosed subject matter that is not taught in 'RFC 2866' is taught by the prior art," as alleged on p. 5 of the Office Action. This statement clearly mischaracterizes Applicant's specification and is in no way consistent with the actual statements contained therein.

Additionally, Applicant notes that the difference between the features of claim 1 (in particular, the feature that prevents more than one network access server from creating the same unique session identifier) and the features described in the cited portions of Applicant's specification (in particular, the ability of a AAA server to distinguish among sessions identified by the same session identifier, based upon which NAS assigned a given session identifier) have important ramifications with regard to network behavior. In the latter scenario, the AAA server must be able to determine which NAS assigned a particular session identifier in order to distinguish between multiple sessions having the same session identifier. In such a scenario, if the AAA server is not directly connected to the NAS servers (e.g., where an off-load server is used, as described in the third full paragraph on p. 12 of the specification), the AAA server may not have the necessary information required to distinguish between sessions having the same session identifier. In contrast, if Applicant's present invention is employed, multiple sessions cannot have the same identifier and the potential problem is avoided. Thus, the differences between what is recited in claim 1 and what is described in the portions of Applicant's specification cited by the Examiner can be quite significant when different network configurations are encountered.

Further with respect to claim 2, the cited art neither teaches nor suggests that "creating the unique session identifier further comprises appending a unique identifier to a local session identifier," as recited in amended claim 2.

The Office Action states that it would have been obvious "to append a unique identifier associated with an access server to a local session identifier since 'RFC 2866' suggests that any sort of method of generating a unique session identifier may be used." Office Action, p. 7. The Office Action also states: "The generation by a NAS of a unique session identifier by appending a unique identifier such as the NAS address to a local session identifier such as the session ID or a port as noted previously by the Examiner would have been obvious to one of ordinary skill in the art since the NAS is aware of these identifiers and, since the prior art teaches that the NAS provides a session ID to the AAA server, appending a known identifier to another known identifier in order to produce a unique session identifier would have been obvious to one of ordinary skill in the art." Office Action, p. 8.

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In both of the above assertions, no portion of the cited art is cited as teaching or suggesting that it would be desirable or useful to create a unique session identifier by appending a unique identifier to a local session identifier. The basis of the rejection appears to be the mere fact that the cited art discloses a session ID and a NAS address. There is no suggestion within the cited art to perform the affirmative act of appending one identifier to another, nor has any convincing line of reasoning been provided as to why one of ordinary skill in the art would have been motivated to modify the teachings of the art to perform such an affirmative act. Applicant notes that the mere fact that one identifier could be appended to another in no way provides any suggestion that the act of appending one identifier to the other be performed. In other words, just because the identifiers could have been appended to each other in no way teaches or suggests actually doing so, especially in the specific context and manner recited in Applicant's claim.

Accordingly, the Office Action's statements appear impermissibly rely on the level of skill in the art to provide a suggestion to modify the references to teach the invention in the absence of any reference that suggests such a modification. "To imbue one of ordinary skill in the art with knowledge of the invention... when no prior art reference or references of record convey or suggest that knowledge, is to fall victim to the insidious effect of a hindsight syndrome wherein that which only the inventor taught is used against its teacher." *W.L. Gore & Assocs., Inc. v. Garlock, Inc.*, 721 F.2d 1540, 1553, 220 USPQ 303, 312-13 (Fed.Cir.1983). "To support the conclusion that the claimed combination is directed to obvious subject matter, either the references must expressly or impliedly suggest the claimed combination or the examiner must present a convincing line of reasoning as to why the artisan would have found the claimed invention to have been obvious in light of the teachings of the references... [S]implicity and hindsight are not the proper criteria for resolving the issue of obviousness." *Ex Parte Clapp*, 227 U.S.P.Q. 972, 973 (Bd. Pat. App. & Int'f 1985). Since the cited art neither teaches nor suggests the act of "appending a unique identifier to a local session identifier," claim 2 is patentable over the cited art. Claims 7, 13, 17, and 22 are patentable over the cited art for similar reasons.

CONCLUSION

In view of the amendments and remarks set forth herein, the application is believed to be in condition for allowance and a notice to that effect is solicited. Nonetheless, should any issues remain that might be subject to resolution through a telephonic interview, the Examiner is invited to telephone the undersigned at 512-439-5087.
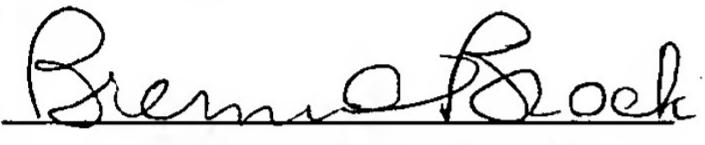
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